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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,583	07/18/2003	Kohei Fujii	01070071AA	2105
30743 7590 05/04/2007 WHITHAM, CURTIS & CHRISTOFFERSON & COOK, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			EXAMINER NGUYEN, TU X	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 05/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/621,583

Applicant(s)

FUJII, KOHEI

Examiner

Tu X. Nguyen

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/24/07, 7/14/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 5/23/06 have been fully considered but they are not persuasive.

Regarding claim 1, Applicant argument "the relay apparatus of the present invention requires, "...a plurality of communication means are connected and which **individually interfaces** with the communication means..." The subject invention is focused on providing interfaces with multiple communication devices. These devices are connected through separate and distinct interfaces within the relay apparatus. This allows communication information (data, voice, and/or image) to be received simultaneously from different sources. The user can select between the different communication means maintaining the connection to each communication system. That is, the user can be reading incoming e-mail messages while participating in a voice conversation. These interfaces are shown, for exemplary purposes, in Figure 1 of the patent application as separate interfaces (11A, 11B, 11C, and 11D). Hence, the claim requires: "external connection interface means to which a plurality of communication means are connected and which **individually interfaces** with the communication means" (emphasis added). External Communication Control 54 as the only interface for both wireless and wired communications means regardless of the number of wireless or wired communications means. In the paragraph beginning Column 12, line 50, Ditzik (US 5,983,073) describes element 54 as, "...communications means 54 should be capable of controlling communications to and from a plurality of wire and wireless communication systems..." Figure 7 of Ditzik (US 5,983,073) also shows element 54 as

connecting to both a wired terminal and a wireless terminal. The operation of the External Communication Control 54 requires the user to communicate with only one external communication means at a time. That is, the user would have to terminate one communication conversation before switching to the other system communication means. The Examiner disagrees, Ditzik discloses there are at least two external connections, they are elements 27, 54 and 62, fig. 7, and these are **individual interfaces**. The PC card needs an external connection from the laptop in order to be plugged in.

Regarding claim 2, Applicant argument "communication information for each of the individual and separate external communication interfaces". The Examiner disagrees; these external connections 27, 54 and 62 are each individual and separate.

As for claims 3 and 6-8, Applicant argument "the common control for display would include displaying information from the multiple external communications means at the same time. Ditzik (US 5,983,073) provides for display of the single communication conversation that is occurring at one time. Ditzik (US 5,983,073) does not provide for simultaneous multiple conversations and does not control the display of related information for these simultaneous multiple conversation". In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "**simultaneous**") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-8, are rejected under 35 U.S.C. 102(e) as being anticipated by Ditzik (US Patent 5,983,073).

Regarding claim 1, Ditzik discloses a relay apparatus comprising:

external connection interface means (see 62, 27, 54, 46, fig.7) to which a plurality of communication means are connected and which individually interfaces with the communication means; and

common control means (see 38, fig.7) which is commonly provided for the plurality of communication means and controls to perform communication by using one of the plurality of communication means connected to said external connection interface means in accordance with operation by a user (see 9, fig.7).

Regarding claim 2, Ditzik discloses said common control means comprises call control means for acquiring, from a communication terminal connected to said external connection interface means (see col.2 lines 56-64), unique communication information including communication partner information and log information used for communication through the communication terminal, a database storing communication information, and database management means for classifying communication

information according to communication partners and collectively managing the information (see col.3 lines 10-14).

Regarding claim 3, Ditzik discloses said common control means comprises window display means for displaying various kinds of information about communication, and search means for retrieving communication information about a communication partner from said database, and said call control means displays the retrieval result obtained by said search means on said window display means (see col.3 lines 10-14).

Regarding claim 4, Ditzik discloses said database stores termination propriety condition information set for each communication partner, and said common control means further comprises response determination means for (see col.3 lines 10-14), if during speech communication through one of the plurality of communication means, an incoming call is received through another communication means, determining the propriety of responding to the incoming call on the basis of termination propriety condition information about a communication partner, from said database, with which the speech communication is being performed ("if" is optional, no need for consideration).

Regarding claim 5, Ditzik discloses said external connection interface means comprises at least one of terminal interface means (see 62, fig.7) for interfacing with a terminal and line interface means for a line (see 53, fig.7).

Regarding claim 6, Ditzik discloses relay means for relaying/connecting said terminal interface means and said line interface means to said control means (see col.2 lines 56-64).

Regarding claim 7, Ditzik discloses the communication means comprises at least one of a portable terminal and a communication line, and performs various kinds of communication (see col.2 lines 56-64).

Regarding claim 8, Ditzik discloses the communication means performs at least one of speech communication, electronic mail communication, and image communication (see col.2 lines 50-55, col.6 lines 45-59).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is 571-272-7883.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



April 18, 2007



EDWARD F. URBAN
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